



## Conservation Biology Institute San Diego Office

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# Memorandum

**Date:** June 5, 2008  
**To:** BDCP Management Team  
**From:** Wayne Spencer  
**Subject:** Proposal for obtaining Independent Science Advice concerning non-aquatic species and communities to be addressed by the BDCP.

## Introduction

At the request of the BDCP Management Team, I've prepared this draft overview of a process for obtaining independent science advice (ISA) on the range of species and communities that may be appropriate to address in the BDCP. The first ISA workshop and report specifically addressed aquatic species and communities. The focus of this proposed second workshop and report would be on non-aquatic resources that could also be affected by BDCP actions, including species associated with upland, riparian, marsh, and other "transitional" communities in the planning area.

The primary intent of the ISA process is to ensure that all BDCP participants have access to best available science to inform their planning decisions. The intent of this independent science advice is not to recommend which species should or should not be covered by regulatory take authorizations or permits under the ESA, CESA, or NCCPA. It is up to the potentially regulated entities (PREs) to decide which species they wish permit coverage for, whether under the NCCPA or other regulations (e.g., Section 2081 of the Fish & Game Code). Moreover, it is up to the fish and wildlife agencies to determine for which species permit coverage is ultimately warranted, under what regulations, and with what terms and conditions.



## Scope and Approach for ISA Input

I propose a small, informal workshop or meeting (a “Tier-2” ISA engagement as described in the May 16, 2008 Draft Tiered Approach to Procuring Additional Independent Scientific Advice) involving approximately six independent science advisors to review the expanded potential covered species list. During the workshop, the scientists would review SAIC’s rationale for the BDCP covered species list, and the proposed list itself. They would discuss what additional species, if any, may be prudent to consider adding to this list, or whether any species currently on the list could be removed as being unlikely to be affected by the plan. The potential roles of climate change, ecological migration, geographic range shifts, and other forces outside the control of BDCP will also be explicitly discussed. Because aquatic resources were already covered in depth by the first ESA report (Reed et al., November 16, 2007), the focus of this second workshop and report will be on non-aquatic (e.g. terrestrial, wetland or other “transitional”) communities and species in the planning area. The workshop and report would also specifically implement one of the recommendations in the first ISA report:

*R3. Revisit the inclusion of Swainson’s hawk, giant garter snake, bank swallow, and other listed taxa as Covered Species once the Covered Activities, including conservation strategies, are more fully identified.*

The overall purpose of the workshop and report will be to ensure that the BDCP is fully informed concerning the species, natural communities, and ecological processes that may be affected, whether positively or negatively, by BDCP implementation.

## Process

The workshop would likely be about 4-6 hours duration, in the vicinity of the planning area, probably in July 2008. I would organize and facilitate the meeting, and would collate and edit information and recommendations from the scientists into a second ISA report.

In keeping with overall BDCP guidance for independent science input, I would work as Facilitator with the Science Liaison Committee to identify the range of expertise required of advisors and a list of potential advisors that would best cover this expertise. Collectively the advisors should have local knowledge about the ecology of the Bay Delta region, at least what birds, mammals, reptiles, amphibians, invertebrates, and plants may be of concern in an area near the planning area, as well as the general community ecology of the area.

Ideally, all or most advisors would be relatively local, with field experience in the Bay Delta region and with minimal travel costs for attending the meeting. Working from a prioritized list of potential advisors, I would contact advisors and ascertain their interest and availability to serve. We would convene the meeting of advisors as soon as possible (likely July) in the vicinity of the Bay Delta (e.g., Sacramento or Davis). I would facilitate the meeting to ensure the scientist focus on the issues and questions and provide meaningful and useful



recommendations that meet both the letter and the intent of the NCCPA for independent science input. I would strive to achieve advisor consensus on key points, and would document their advice in meeting notes. Based on these notes and any additional input submitted by advisors, I would draft a brief report documenting their recommendations for their review. Once all advisors agree that the report accurately reflects their input and consensus, it will be submitted to the Steering Committee through the Science Liaison Committee.

### **Background Materials Needed**

Pertinent background materials would be collated and submitted to the advisors by SAIC at least 2 weeks prior to the ISA meeting. Materials to include will be decided with input and concurrence from the Science Liaisons, SAIC, and pertinent Working Groups and Technical Teams. The materials should include at least the following types of information:

- Description and maps of the BDCP Conservation Strategy including conveyance options
- Maps of the plan area, including a land cover map; maps showing the known distribution of communities, species, or other resources of concern; and maps of all known or potential BDCP actions (e.g., potential restoration sites and conveyance facilities)
- SAIC proposed covered species rationale and list(s)
- BDCP biological goals
- Other information suggested by Working Groups, Technical Teams, SAIC, or the Science Liaisons